

EXHIBIT E

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SUBSTITUTE TRUSTEE'S DEED

THE STATE OF TEXAS

COUNTY OF EL PASO

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WHEREAS, IMCC SUNLAND, L.L.C., a Delaware limited liability company ("Noteholder"), is the present owner and holder of (i) that certain Promissory Note dated June 29, 2007 (the "Note"), executed by CDB FALCON SUNLAND PLAZA, L.P., a Texas limited partnership ("Borrower"), and payable to the order of INLAND MORTGAGE CAPITAL CORPORATION, A MARYLAND CORPORATION, in the original principal amount of \$6,771,000.00, as therein provided, and (ii) any and all liens and security interests securing the Note, including, without limitation, the following described Deed of Trust; and

WHEREAS, the payment of the Note is secured by that certain Deed of Trust ("Deed of Trust") dated June 29, 2007 and being recorded under file No. 20070061798, Real Property Records of El Paso County, Texas; and

WHEREAS, the Deed of Trust covers the following described property and all improvements located thereon ("Mortgaged Property"), to wit:

A 4.371-acre portion of Lot 1, Block 1, CORONADO DEL SOL (Book 61, Pages 4 - 4C, Plat Records, El Paso County, Texas) being more particularly described by metes and bounds in Exhibit A attached hereto and made a part hereof.

WHEREAS, the noteholder at the time of the appointment, pursuant to the Deed of Trust, appointed Taffy Bagley, Esq. as Substitute Trustee, to act under the Deed of Trust in place of the original Trustee named therein;

WHEREAS, default has been made in the payment of the Note and the Noteholder has declared the Note to be fully due and payable; and

WHEREAS, Noteholder has demanded payment under said Note and has directed the undersigned to enforce the power of sale granted under the Deed of Trust and to sell the Mortgaged Property, pursuant to the authority conferred upon the undersigned by the Deed of Trust, all in accordance with the terms of the Deed of Trust and the laws of the State of Texas; and

WHEREAS, Noteholder did timely cause to be served upon each debtor who, according to the records of the Noteholder, is obligated to pay the Note, written notice of said sale in accordance with the requirements of Section 51.002 of the Texas Property Code, as amended and in accordance with the terms of the Deed of Trust; and

WHEREAS, Noteholder did timely post notices of the sale and record with the County Clerk of El Paso County, Texas written notice of said sale in accordance with Section 51.002 of the Texas Property Code.

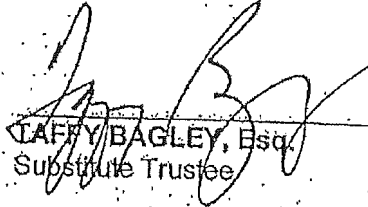
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, TAFFY BAGLEY, Esq. as Substitute Trustee, in performance of her duty under the Deed of Trust, at the request of Noteholder, after advertising the time and place and terms of sale of the Mortgaged Property in accordance with the terms of the Deed of Trust as required by law, and by posting up written notice of such sale (hereinafter referred to as "Notice") at the El Paso County Courthouse, being the county in which the Mortgaged Property is located, said Notice having been posted more than twenty-one (21) days successively before the date of sale, and said Notice specifying the time, place and terms of such sale of the Mortgaged Property, and with said Notice containing a full description of the Mortgaged Property to be sold, and after full compliance with all the terms of the Deed of Trust and Section 51.002 of the Texas Property Code, did, on the first Tuesday in the month of September, being September 1, 2009, at 12:45 p.m. offer for sale and sell at public venue the Mortgaged Property in accordance with the Notice and at the designated area at the El Paso County Courthouse located in El Paso, Texas, to IMCC SUNLAND, L.L.C., a Delaware limited liability company (hereinafter referred to as "Purchaser"), whose address is 2901 Butterfield Road, Oak Brook Illinois 60523, the Purchaser being the highest and best bidder therefor as purchaser of the Mortgaged Property and sold to Purchaser by the undersigned for the sum of FOUR MILLION (\$4,000,000.00) DOLLARS being hereby acknowledged. The undersigned, TAFFY BAGLEY, Esq. as Substitute Trustee, under the authority conferred upon her under the Deed of Trust, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto the Purchaser all of the Mortgaged Property, HOWEVER, without

covenants or warranties, expressed or implied, or any liabilities whatsoever on the undersigned personally.

TO HAVE AND TO HOLD the Mortgaged Property unto the Purchaser, its successors and assigns forever; and the undersigned, **TAFFY BAGLEY, Esq.** as Substitute Trustee, by virtue of the authority vested in her by the Deed of Trust, does hereby bind Borrower and Borrower's successors and assigns to WARRANT and FOREVER DEFEND the title to the Mortgaged Property unto Purchaser and Purchaser's successors and assigns forever, against any person whomsoever lawfully claiming or to claim the same or any part thereof as fully as the undersigned, **TAFFY BAGLEY, Esq.** as Substitute Trustee, lawfully can do; HOWEVER, without covenants or warranties, expressed or implied, or any liabilities whatsoever on the undersigned personally.

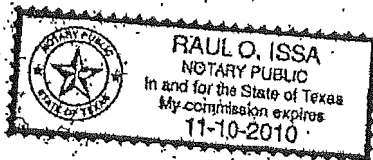
EXECUTED to be effective the 1st day of September, 2009.

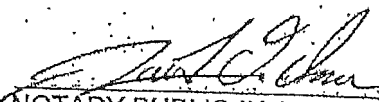


TAFFY BAGLEY, Esq.
Substitute Trustee

THE STATE OF TEXAS §
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COUNTY OF EL PASO §

This instrument was acknowledged before me on this the 17th day of September, 2009, by **TAFFY BAGLEY, Esq.** as Substitute Trustee under the above described Deed of Trust.





NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

My Commission Expires:

EXHIBIT A

Address: Sunland Plaza, Sunland Park Drive, El Paso, Texas

LEGAL DESCRIPTION

The parcel of land herein described is a 4.371-acre portion of Lot 1, Block 1, Coronado Del Sol (Book 61, Pages 4-4C, Plat Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at a centerline P.T. of South Mesa Hills Drive (120-foot right-of-way; Coronado Del Sol), from which a city monument at the centerline intersection of South Mesa Hills Drive and Bluff Ridge Drive (70-foot right-of-way; Coronado Del Sol) bears South $88^{\circ}29'31''$ East, a distance of 1614.61 feet; Thence, 431.48 feet along the centerline of South Mesa Hills Drive and along the arc of a curve to the left, having a radius of 600.00 feet, a central angle of $41^{\circ}12'11''$, and a chord which bears South $57^{\circ}44'22''$ East, a distance of 422.24 feet; Thence, South $11^{\circ}39'32''$ West, a distance of 59.21 feet to a $5/8''$ rebar with cap marked "Conde TX 2665" found on the southerly right-of-way of South Mesa Hills and the POINT OF BEGINNING of this description;

THENCE, 129.91 feet along said right-of-way and along the arc of a curve to the left, having a radius of 621.64 feet, a central angle of $11^{\circ}58'26''$, and a chord which bears South $83^{\circ}38'10''$ East, a distance of 129.68 feet to a found $1/2''$ rebar with cap marked "SLI TX 2998";

THENCE, 107.40 feet continuing along said right-of-way and along the arc of a curve to the left, having a radius of 660.00 feet, a central angle of $09^{\circ}19'24''$, and a chord which bears North $85^{\circ}42'55''$ East, a distance of 107.28 feet to a chiseled "X" set on the westerly boundary of that certain parcel of land described December 23, 1991, in Book 2383, Page 1059, Deed Records, El Paso County, Texas;

THENCE, South $10^{\circ}14'55''$ East, along said boundary, a distance of 630.92 feet to a concrete nail and shiner found on the southerly boundary of that certain parcel of land described July 14, 2006, in Clerk's File No. 20060067480, El Paso County Clerk's Records, El Paso County, Texas;

THENCE, South $75^{\circ}44'21''$ West, along said boundary, a distance of 117.66 feet to a set $5/8''$ rebar with cap marked "RPLS 4178";

THENCE, South $74^{\circ}23'36''$ West, continuing along said boundary, a distance of 96.46 feet to a $1/2''$ rebar with cap marked "SLI TX 2998" found on the easterly boundary of that certain parcel of land described June 30, 1995, in Book 2922, Page 1123, Deed Records, El Paso County, Texas;

THENCE, North $37^{\circ}08'17''$ West, along said boundary, a distance of 177.52 feet to a found PK nail;

THENCE, North $52^{\circ}51'43''$ East, continuing along said boundary, a distance of 70.11 feet to a found $5/8''$ rebar with cap marked "Conde TX 2665";

THENCE, North $37^{\circ}08'17''$ West, continuing along said boundary, a distance of 298.61 feet to a found PK nail;

THENCE, North $19^{\circ}09'11''$ East, continuing along said boundary, a distance of 275.51 feet to the POINT OF BEGINNING of this description.

Said parcel of land contains 4.371 acres (190,405 square feet) of land more or less.

EXHIBIT A

DAL 76186204V5 6/28/2007

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#Pages 4 ENPages 1
9/17/2009 3:27:12 PM
Filed & Recorded in
Official Records of
El Paso County
Della Briones
County Clerk
Fees: \$28.00